

**Exhibit A**

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

THE PEOPLE OF THE STATE OF CALIFORNIA, )

Vs. )

IC 1/4/06

NOE ORDONEZ ARIAS )

Defendant )

FELONY COMPLAINT

Section 496(a) PC

FILED  
JAN 04 2006  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA  
By [Signature] DEPUTY CLERK

**NOTICE: Conviction for these offenses may require you to provide specimens and samples pursuant to Penal Code Section 296 if you are convicted of a felony offense or have a prior qualifying offense in your criminal background. Willful refusal to provide the specimens and samples is a crime.**

THE UNDERSIGNED, being duly sworn, deposes and says, upon information and belief, that the said defendant, **NOE ORDONEZ ARIAS**, did, in the County of Sonoma, State of California, on or about the **1<sup>st</sup> day of January, 2006**, violate Section **496(a)** of the PENAL CODE, a **felony**, in that he did unlawfully buy, receive, conceal, sell, withhold, and aid in concealing, selling, and withholding property, to wit, CREDIT CARDS AND IDENTIFICATION DOCUMENTS, which had been stolen and obtained by extortion, knowing that said property had been stolen and obtained by extortion.

Complainant therefore prays that a warrant issue and that said defendant be dealt with according to law.

[Signature]  
DEPUTY DISTRICT ATTORNEY

Subscribed and sworn to before me this 14 Day of Jan, 2006

[Signature]  
Clerk of the Superior Court

1/03/2006

JJM/MB

SCY 060101012

DAR-520858

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA**

THE PEOPLE OF THE STATE OF CALIFORNIA

No. SCR-479120

Plaintiff

vs.

**NOTICE OF BAIL FORFEITURE**

**NOE O. ARIAS**

Defendant

Please be advised that Bail Bond #LG5377272 in the amount of \$5000 which was posted by you on behalf of the above defendant has been ordered forfeited by the Court for failure to appear on January 18, 2006.

By: ERICA MCKINNEY, Deputy Clerk, on 01/18/06

**CLERK'S CERTIFICATE OF MAILING**

My business address is 600 Administration Drive, Santa Rosa, CA 95403. I am over the age of eighteen years, and not a party to the action. I served the Notice of Forfeiture by depositing a true copy thereof in a sealed envelope, postage fully prepaid, addressed as shown below. The notice was mailed at Santa Rosa on JAN 19 2006.

I declare under penalty of perjury that the foregoing is true and correct.

Denise Gordon, Executive Officer

By: **A. FERRARI**, Deputy Clerk, on **JAN 19 2006**

ALADDIN BAIL BONDS SAN JOSE  
2025 Gateway Place  
San Jose CA 95441

LINCOLN GENERAL INSURANCE CO  
1959 PALOMAR OAKS WAY # 200  
CARLSBAD CA 92009-1314

STEPHAN R. PASSALACQUA, #138293  
District Attorney, County of Sonoma  
SHARMALEE . RAJAKUMARAN, #226857  
Deputy District Attorney  
Hall of Justice, Room 212-J  
600 Administration Drive  
Santa Rosa, CA 95403  
(707) 565-2311

**FILED**

FEB 15 2006

Clerk of the Superior Court of California  
County of Sonoma

By   
Deputy Clerk

Attorney for The People

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SONOMA

THE PEOPLE OF THE STATE OF CALIFORNIA, )  
Plaintiff, )

COURT NO. SCR-479120  
D.A. NO. DAR-520858

vs. )

NOE ORDONEZ ARIAS )

INFORMATION  
496(a) PC

Defendant )

**NOTICE: Conviction for these offenses may require you to provide specimens and samples pursuant to Penal Code Section 296 if you are convicted of a felony offense or have a prior qualifying offense in your criminal background. Willful refusal to provide the specimens and samples is a crime.**

COUNT I

The said defendant, **NOE ORDONEZ ARIAS**, is accused by the District Attorney of and for the County of Sonoma, State of California, by this Information, of a **felony**, in that on or about the **1<sup>st</sup> day of January, 2006**, in the County of Sonoma, State of California, the said defendant, **NOE ORDONEZ ARIAS**, did violate Section **496(a)** of the PENAL CODE, in that he did unlawfully buy, receive, conceal, sell, withhold, and aid in concealing, selling, and withholding property, to wit, **CREDIT CARDS AND IDENTIFICATION DOCUMENTS**, which had been stolen and obtained by extortion, knowing that said property had been stolen and obtained by extortion.

1 Contrary to the form, force and effect of the Statute in such case made and provided and  
2 against the peace and dignity of the People of the State of California.

3 STEPHAN R. PASSALACQUA, DISTRICT ATTORNEY  
4 County of Sonoma, State of California

5 BY: 

6 SHARMALEE RAJAKUMARAN  
7 Deputy District Attorney

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00001431

Superior Court  
State of California  
County of Sonoma

For Court Use Only  
**FILED**

APR - 7 2006

Clerk of the Superior Court of California  
County of Sonoma  
By [Signature]  
Deputy Clerk

DEFENDANT'S WAIVER OF  
CONSTITUTIONAL RIGHTS PRIOR TO  
ENTRY OF GUILTY OR NO CONTEST PLEA

Honorable Rene A Chouteau  
(SUPERIOR COURT JUDGE)

Case No: MCR SCR 479120

Defendant's Name NOE ORDONEZ ARIAS Date of Birth 2/10/81

Attorney's Name Charles G. Oculwik Bar # 77623

DEFENDANT: PLEASE READ AND PLACE YOUR INITIALS IN THE BOXES AFTER READING AND UNDERSTANDING EACH OF THE STATEMENTS. IF THERE IS ANYTHING THAT YOU DO NOT UNDERSTAND, ASK YOUR ATTORNEY ABOUT IT BEFORE INITIALING.

As the defendant in the above entitled case, I personally declare the following:

1. My name and date of birth as listed above are complete, true and correct.
2. I am not currently under the influence of anything that impairs my ability to understand these proceedings.
3. Of those charges now filed against me in this case, I plead (circle one) GUILTY NO CONTEST to the following offense(s) and admit the following enhancement(s), allegation(s), and prior conviction(s):

I 496 (a) a felony

Count \_\_\_\_\_

Count \_\_\_\_\_

Count \_\_\_\_\_

Count \_\_\_\_\_

Count \_\_\_\_\_

**Constitutional Rights**

☒ 4. I understand that I am entitled to a speedy and public trial by court or by jury as to all charges, allegations and prior convictions. I understand and give up each of the following rights:

- a. The right to see, hear, and question all witnesses who would testify against me at trial.
- b. The right to present evidence in defense of the charges.
- c. The right to have the Court order my witnesses to attend my trial at no expense to me.
- d. The right against self incrimination. I can remain silent and require the District Attorney's Office to prove the case against me beyond a reasonable doubt. I cannot be forced to testify against myself, but I also have the right to testify in my own defense if I choose to do so.
- e. The right to be represented by a lawyer at all court appearances relating to any trial. I can hire a lawyer or the Court will appoint a lawyer for me if I cannot afford one.

☒ 5. I FREELY AND VOLUNTARILY GIVE UP MY RIGHT TO A COURT AND JURY TRIAL.

☒ 6. I understand that a no contest plea will be treated as a guilty plea and I will be sentenced as if guilty.

☒ 7. All promises made to me are written on this form, or stated here in open court. There have been no other promises, or suggestions made in order to get me to enter this/these plea(s).

☒ 8. No one has made any threats to me or anyone else, or placed any pressure of any kind on me in order to make me plead guilty/no contest.

☒ 9. I have had enough time to discuss with my attorney my constitutional rights, any defenses I may have to the charges and the consequences of this/these plea(s).

**Consequences of Plea**

☒ 10. I understand that the maximum punishment I may receive as a result of this plea is:

indeterminate term in state prison of \_\_\_\_\_

determinate term in state prison of 3 years and 0 month(s)

followed by parole for (3 to 4 years) (5 to 7 years) (life) with return to prison for every parole violation;

a fine of \$ \_\_\_\_\_; a mandatory restitution fine of \$200 to \$10,000; a parole restitution fine in the same amount which will be suspended pending successful completion of parole; restitution directly to any victim(s).

☒ 11. I understand that if I am not sentenced to prison, I may receive probation for a period up to 5 years, or for a period equal to the maximum prison term, whichever is greater. As conditions of probation, I may be given county jail custody, plus the fine and any other conditions deemed reasonable by the Court. I understand that if I violate any condition of probation I can be sent to State Prison.

☒ 12. I understand that as a convicted felon, I will not be able to own, possess, or have under my custody or control any firearm or ammunition.

☒ 13. I understand that if I am not a citizen of the United States, conviction of the offense(s) may/will (circle one) have the consequences of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States. (Note: If convicted of an *aggravated felony*, defendant will be deported.)

☒ 14. I understand that if I am currently on probation for any other matter, this conviction will act as a violation of that probation and I could be given a separate and additional sentence in that case.

NOA

15. I understand that there are also the following consequences of my plea(s):  
(circle letter of all applicable consequences)

- |   |  |   |
|---|--|---|
| a. Mandatory prison                         | e. Prior Enhancement (increased penalties for future offenses) | g. Sexual Violent Predator law                          |
| b. Presumptive prison                       | f. Registration as an arson / sex / narcotic offender          | h. Blood test and saliva sample                         |
| c. Commitment to CYA                        |  | i. Loss of driving privilege                            |
| d. Reduced conduct credits                  |  | j. AIDS education program                               |
| i. Violent Felony (no credit to max. 15%)   |  | k. Commitment to CRC (California Rehabilitation Center) |
| ii. Prior Strike(s) (no credit to max. 20%) |  |   |
| iii. Murder (no credit)                     |  |   |

Other: \_\_\_\_\_

#### Open Plea

☐ 16. I understand that there is no agreement or indication as to the sentence I will receive on this matter. I could be sentenced up to the maximum penalty as stated above.

#### Indicated Sentence

☐ 17. I understand that, although the Court has indicated a sentence, there is no agreement with the District Attorney's Office and the Court will not decide what my sentence will be until it has read and considered a report from the probation office.

#### Dismissed Charges

☐ 18. I understand that the following charges will be dismissed: \_\_\_\_\_

☐ 19. I further understand that the Court can consider the dismissed charges in determining the appropriate sentence in my case and in ordering restitution to the victim(s) of the dismissed charges.

#### Negotiated Disposition pursuant to PC 1192.5

☒ 20 a. I am entering into an agreement with the District Attorney's Office. Pursuant to this agreement, I am pleading guilty/no contest as stated above.

b. My plea(s) are conditioned on receiving the following consideration as to sentence:

Probation (circle one): will be denied

will be granted  
NOA

imposition of judgment suspended  
NOA

\_\_\_\_ sentence imposed and execution of sentence suspended

\_\_\_\_ to be determined by the court

The custody term will be for the stipulated term of \_\_\_\_\_

c. other: all pending misdemeanors to be dismissed 484409  
478090 474326 481396 483193 483546 460738 - on probation  
People NOT to file CR 051223-009 against Defendant

d. I understand that if the court declines to accept this negotiated disposition, I may withdraw my plea(s) of guilty/no contest, re-enter my not guilty plea(s), and go to trial on all counts as originally charged.

e. I understand that if pending sentencing I commit another crime, violate any condition of a Supervised O.R. release, or willfully fail to appear for my sentencing hearing, this agreement will be canceled, I will be sentenced unconditionally and I will not be allowed to withdraw my guilty/no contest plea(s).



NO 21. I AM FREELY AND VOLUNTARILY ENTERING MY PLEA(S)

I declare that the initials that appear above are my own and that I have read and understand each statement that I have initialed.

Date: April 7, 2006

Signature: Nice Padone  
Defendant

#### Certificate of Interpreter

I declare that I translated the entire contents of this form from English to \_\_\_\_\_ in the presence of and directly to the defendant in this case and that the defendant wrote on this document in my presence.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Interpreter

#### Defense Attorney Statement

I am the attorney of record for the above named defendant. I have explained each of the above rights to the defendant and have discussed the facts, consequences and possible defenses to the charge(s) with him/her. I concur with his/her waiver of rights and entry of guilty/no contest plea(s). I further stipulate that there is a factual basis for the plea(s) and that this document may be received by the court as evidence of the defendant's intelligent waiver of these rights and that it shall be filed by the clerk as a permanent record of that waiver. I have witnessed the reading, initialing and signing of this form by the defendant.

Date: April 7, 2006

Signature: [Signature]  
Attorney for the Defendant

#### District Attorney Statement

The above information correctly reflects the position of the District Attorney's Office as to this case:

Date: April 7, 2006

Signature: [Signature]  
Deputy District Attorney

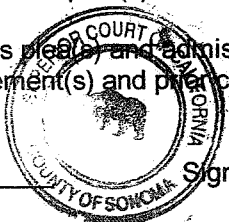
#### Court Findings and Orders

Having questioned the defendant concerning his/her plea(s) of Guilty/No Contest and concerning any admissions of prior conviction(s), enhancements, and allegation(s), the Court finds that:

- The defendant understands and voluntarily and intelligently waives the constitutional rights listed above;
- The defendant's plea(s) and admission(s) are freely and voluntarily made;
- The defendant understands the nature of the charges and the consequences of the plea(s) and admission(s); and
- There is a factual basis for the plea(s).

The Court accepts the defendant's plea(s) and admission(s) and finds the defendant guilty of the offense(s) pled to and the special allegation(s), enhancement(s) and prior conviction(s) admitted.

Date: 4-8-06



Signature: [Signature]

Judge of the Sonoma County Superior Court

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

COURT FILE COPY

1/04/06

4/04/06

Case # SCR-479120

Date: 1/13/06 Time: 0900a Courtroom # 4

1st App:

Target:

Judge: Rene A. Chouteau

Reporter: S. STANDISH Sworn Interpreter: INT

Deputy D.A.:

Clerk: Christine Roger [I12] Interpreter needed next date

PEOPLE VS.

[DE 1]

[A32] Probation Officer present

ARIAS, NOE ORDONEZ

[A] gives oral report to court

Agency # SCY-060101012

DDL: CA B6301052

DOB: 2/10/81

Charges: 1) F 496(a) PC

## READINESS CONFERENCE

## N NATURE OF PROCEEDINGS:

DEFENDANT [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [5] waiver of personal appearance filed  
 [6] Pub. Def. [7] appointed [8] relieved [22] True name is  
 [9] Defense Csl. [10] generally [11] relieved [23] Defendant advised of charges/allegations [24] Stipulates to arraignment  
 [12] Conflict Csl. [14] appointed [15] relieved [25] Advised of constitutional rights [26] Waives reading of Information  
 [16] Complaint [17] Information [A] filed [B] amended [A] Complaint [B] Constitutional rights [C] Alien advisement given per 1016.5 PC  
 [18] Defense provided with [A] Complaint [B] Discovery Complaint not filed [27] Defendant discharged [28] Continued for complaint  
 [19] Complaint amended to [29] Mutual discovery granted by [30] Judge recuses self per 170.1 CCP  
 [20] Charge(s) amended to [31] 170.6 CCP filed re: Judge by [A] DA [B] Defense  
 [21] Ct(s) deemed misd. per [A] 17b4 PC [B] 17b5 PC [32] Defendant advised of [A] PD reg fee [B] possible fee assessment for counsel

## O BAIL/CUSTODIAL STATUS

## DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY

BAIL [3] forfeited [4] reinstated [5] exonerated  
 [6] Reassumption of liability filed [7] Bail reinstated and exonerated  
 [8] Bench warrant to issue per Bail \$  
 [9] D.A. to prepare declaration & warrant [10] EXECUTION STAYED [28] Summary judgment extended to  
 WARRANT [15] RECALLED [18] remains out  
 [19] Bail set \$ [A] as set [20] NO BAIL  
 Bail [21] increased to \$ [22] reduced to \$  
 Mtn. for [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached  
 [26] OR [27] Sup. OR [A] reinstated [B] revoked [C] terminated [D] continued

## P DEF. PLEADS

[1] Not Guilty [2] NGI [3] Not guilty plea w/drawn  
 [4] Prior(s) denied [5] Enhancements/allegations denied  
 Advised of [6] max. penalties [7] future consequences [8] understands & [23] People's motion to dismiss counts remaining at time of sentencing granted  
 waives each right [9] Defense Csl joins in waiver [10] Tahl waiver filed [24] Plea per 1192.5 PC [25] Fingerprint form filed  
 [11] GUILTY [12] NO CONTEST [26] Defendant to be booked, fingerprinted, and released forthwith  
 [13] Priors dated [A] admitted [B] stricken [27] People recommend Ctl, no mit. state prison  
 [14] Prison Priors dated [A] admitted [B] stricken [28] Court indicates  
 [15] Enhancements dated [A] admitted [B] stricken  
 [16] Strikes dated [A] admitted [B] stricken [29] Def. enters [A] Arbuckle [B] Harvey waiver re:  
 [17] Spec. circumstances [A] admitted [B] stricken [30] VC Priors found constitutionally [A] valid [B] invalid  
 Def. stipulates to [18] factual basis for plea [A] probable cause for arrest [31] Motor vehicle used in the commission of a felony (for DMV reporting)

## E PROBATION

[1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] NBRC [E] Post Sentence [F] Other  
 [7] Cont. to Ctrm [9] Report due [10] Transcript due [11] Prob. Report filed

## R CALENDAR SETTINGS/WAIVERS

DNA test [DNA1] ordered [DNA2] Previously done Qualifying offense  
 DEFENDANT [1] waives time to [A] plus days  
 [2] does not waive time [3] withdraws time waiver  
 Waives time for [4] sentencing [5] referral [6] prelim [A] 10 [B] 60 days  
 [7] advised of right to prelim [8] waives same [9] People waive prelim  
 [10] Prelim. hrg. set 1-18-06 930 HELD Ctrm [A]  
 [11] The Complaint will be deemed the Information for all purposes  
 [12] Cert per 1368 PC for hrg. Ctrm [A]  
 [13] Proceeding suspended & case Certified to Juvenile Court  
 [14] Cert. to Trial Dept. for hrg. Ctrm [A]  
 [15] Jury Trial set Ctrm [A]  
 [16] Pretrial set Ctrm [A]  
 [17] Readiness set Ctrm [A]  
 [18] Hearing set Ctrm [A]  
 [19] Trial date confirmed [20] Time estimate  
 [21] VACATED  
 [22] Criminal Protective Order [A] issued & filed [B] vacated [C] served  
 [23] Cont to Ctrm

MOTION [24] 1538.5 PC [25] 995 PC [26] 1050 PC [27] 1275 PC Bail Source  
 [28] Change Venue [29] Vacate judgment [30] Marsden [31] Other  
 [A] Filed [B] Set Ctrm [C] HELD  
 [D] granted [E] denied [F] taken under submission [G] withdrawn  
 [33] Dr. appointed to examine defendant  
 [34] Report due appointment per  
 DEF [35] committed to [A] CDC for 90 day diagnostic per 1203.03 PC  
 [B] CYA for 90 day observation per 707.2 W&I  
 [36] found mentally [A] competent [B] incompetent [37] Refer to Mental Health  
 [38] committed to State Hosp. [A] contested [B] uncontested  
 [39] If sentenced to prison, term would be yrs/mos. Credits  
 CRIMINAL PROCEEDINGS [40] suspended [41] reinstated  
 [42] Refer to Project Intercept - contact within 48 hrs. [43] Report filed  
 [44] P.I. [45] NBRC on ct(s) [A] accepted [B] denied [C] vacate  
 Terminate [46] successfully [47] unsuccessfully [A] P.I. [B] NBRC  
 [48] Guilty plea for deferred entry of judgment on ct(s)  
 [49] Referral for HIV test per [A] 1524.5 PC [B] 1202.1 PC ordered & filed  
 [50] Plea of guilty/conviction set aside [51] Case dismissed per 1203.4 PC  
 [52] Case [53] Cts DISMISSED [A] Peoples's motion  
 [54] [55] Booking Fee \$ 123 B

Bail transferred to [XFRS] SCR case [XFRM] MCR case



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

COURT FILE COPY

1/04/06

4/06/06

Case # **SCR-479120** 7 Date: **2/01/06** Time: **0930a** Courtroom # **4** 1st App: Target:  
 Judge: **Rene A. Chouteau** Reporter: **S.S.** Sworn Interpreter: **INT**  
 Deputy D.A.: **F.S.R.** Clerk: **BRENDA WESSON** [I12] Interpreter needed next date  
**PEOPLE VS. ARIAS, NOE ORDONEZ** [DE 1] [A32] Probation Officer present  
 [A] gives oral report to court

Agency # **SCY-060101012** DDL: **CA B6301052** DOB: **2/10/81**  
 Charges: **1) F 496(a) PC**

**N NATURE OF PROCEEDINGS: PRELIMINARY**

**DEFENDANT** [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [5] waiver of personal appearance filed  
 [6] Pub. Def. [7] appointed [8] relieved [22] True name is  
 [9] Defense Csl. [10] generally [11] relieved [23] Defendant advised of charges/allegations [24] Stipulates to arraignment  
 [12] Conflict Csl. [14] appointed [15] relieved [25] Advised of constitutional rights [26] Waives reading of Information  
 [16] Complaint [17] Information [A] filed [B] amended [A] Complaint [B] Constitutional rights [C] Alien advisement given per 1016.5 PC  
 [18] Defense provided with [A] Complaint [B] Discovery **Complaint not filed** [27] Defendant discharged [28] Continued for complaint  
 [19] Complaint amended to [29] Mutual discovery granted by [30] Judge recuses self per 170.1 CCP  
 [20] Charge(s) amended to [31] 170.6 CCP filed re: Judge by [A] DA [B] Defense  
 [21] Ct(s). deemed misd. per [A] 17b4 PC [B] 17b5 PC [32] Defendant advised of [A] PD reg fee [B] possible fee assessment for counsel

**O BAIL/CUSTODIAL STATUS**

**DEFENDANT** [1] REMANDED [2] RELEASED FROM CUSTODY  
 [3] forfeited [4] reinstated [5] exonerated  
 [6] Reassumption of liability filed [7] Bail reinstated and exonerated  
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 [9] D.A. to prepare declaration & warrant [10] EXECUTION STAYED [28] Summary judgment extended to  
**WARRANT** [15] RECALLED [18] remains out  
 [19] Bail set \$ [A] as set [20] NO BAIL  
 Bail [21] increased to \$ [22] reduced to \$  
 Mtn. for [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached  
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**P DEF. PLEADS**

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 [4] Prior(s) denied [5] Enhancements/allegations denied  
 Advised of [6] max. penalties [7] future consequences [8] understands & waives each right [9] Defense Csl joins in waiver [10] TAHL waiver filed  
**[11] GUILTY [12] NO CONTEST**  
 [13] Priors dated [A] admitted [B] stricken  
 [14] Prison Priors dated [A] admitted [B] stricken  
 [15] Enhancements dated [A] admitted [B] stricken  
 [16] Strikes dated [A] admitted [B] stricken  
 [17] Spec. circumstances [A] admitted [B] stricken  
 Def. stipulates to [18] factual basis for plea [A] probable cause for arrest  
**COURT FINDS** [19] factual basis for plea [20] admission [21] Def. knowingly, intelligently, freely, voluntarily waives rights [22] Defendant guilty  
 [23] People's motion to dismiss counts remaining at time of sentencing granted  
 [24] Plea per 1192.5 PC [25] Fingerprint form filed  
 [26] Defendant to be booked, fingerprinted, and released forthwith  
 [27] People recommend  
 [28] Court indicates  
 [29] Def. enters [A] Arbuckle [B] Harvey waiver re:  
 [30] VC Priors found constitutionally [A] valid [B] invalid  
**[31] Motor vehicle used in the commission of a felony** (for DMV reporting)

**E PROBATION**

[1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] NBRC [E] Post Sentence [F] Other  
 [7] Cont. to Ctrm [9] Report due [10] Transcript due [11] Prob. Report filed

**R CALENDAR SETTINGS/WAIVERS**

DNA test [DNA1] ordered [DNA2] Previously done Qualifying offense  
**DEFENDANT** [1] waives time to [A] plus days  
 [2] does not waive time [3] withdraws time waiver  
 Waives time for [4] sentencing [5] referral [6] prelim [A] 10 [B] 60 days  
 [7] advised of right to prelim [8] waives same [9] People waive prelim  
**HELD**  
 [10] Prelim. hrg. set **called @ 10:02 AM** [A]  
 [11] The Complaint will be deemed the Information for all purposes  
 [12] Cert per 1368 PC for hrg. Ctrm [A]  
 [13] Proceeding suspended & case Certified to Juvenile Court  
 [14] Cert. to Trial Dept. for hrg. Ctrm [A]  
 [15] Jury Trial set Ctrm [A]  
 [16] Pretrial set Ctrm [A]  
 [17] Readiness set Ctrm [A]  
 [18] Hearing set Ctrm [A]  
 [19] Trial date confirmed [20] Time estimate  
**[21] VACATED**  
 [22] Criminal Protective Order [A] issued & filed [B] vacated [C] served  
 [23] Cont to Ctrm  
**CRIMINAL PROCEEDINGS** [40] suspended [41] reinstated  
 [42] Refer to Project Intercept - contact within 48 hrs. [43] Report filed  
 [44] P.I. [45] NBRC on ct(s) [A] accepted [B] denied [C] vacate  
 Terminate [46] successfully [47] unsuccessfully [A] P.I. [B] NBRC  
 [48] Guilty plea for deferred entry of judgment on ct(s)  
 [49] Referral for HIV test per [A] 1524.5 PC [B] 1202.1 PC ordered & filed  
 [50] Plea of guilty/conviction set aside [51] Case dismissed per 1203.4 PC  
 [52] Case [53] Cts **DISMISSED** [A] People's motion  
 [54] [55] Booking Fee \$ **123** B

Bail transferred to [XFRS] SCR case [XFRM] MCR case

ARIAS, Noe

2106

TABLE ITEM	(CONTINUATION OF PROCEEDINGS)
K6	Pw call S.C.S.O. Deputy Michael Morarity, sworn & testifies @ 10:04 AM.
T	No Cross by Defense
K13	Witness excused
K25	Defense argues
K26	Submitted
K27	Def held to answer to Ct 1 - 496(a) PC
K30	Info to Be filed on 2-15-06 0830 Dept 4
K32	Bail status remains the same.



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

COURT FILE COPY

2/15/06

6/05/06

Case # SCR-479120

Date: 4/07/06 Time: 0900a Courtroom # 4

1st App:

Target:

Judge: Rene A. Chouteau

Reporter: S STANDISH

Sworn Interpreter: INT

Deputy D.A.:

Clerk: Christine Roger

[I12] Interpreter needed next date

PEOPLE VS.

[DE 1]

[A32] Probation Officer present

ARIAS, NOE ORDONEZ

[A] gives oral report to court

Agency # SCY-060101012

DDL: CA B6301052

DOB: 2/10/81

Charges: 1) F 496(a) PC

**N NATURE OF PROCEEDINGS:****PRETRIAL CONFIRMATION**

**DEFENDANT** [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [5] waiver of personal appearance filed  
 [6] Pub. Def. [7] appointed [8] relieved [22] True name is  
 [9] Defense Csl. [10] generally [11] relieved [23] Defendant advised of charges/allegations [24] Stipulates to arraignment  
 [12] Conflict Csl. [14] appointed [15] relieved [25] Advised of constitutional rights [26] Waives reading of Information  
 [16] Complaint [17] Information [A] filed [B] amended [A] Complaint [B] Constitutional rights [C] Alien advisement given per 1016.5 PC  
 [18] Defense provided with [A] Complaint [B] Discovery **Complaint not filed** [27] Defendant discharged [28] Continued for complaint  
 [19] Complaint amended to [29] Mutual discovery granted by [30] Judge recuses self per 170.1 CCP  
 [20] Charge(s) amended to [31] 170.6 CCP filed re: Judge by [A] DA [B] Defense  
 [21] Ct(s). deemed misd. per [A] 17b4 PC [B] 17b5 PC [32] Defendant advised of [A] PD reg fee [B] possible fee assessment for counsel

**O BAIL/CUSTODIAL STATUS****DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY**

BAIL [3] forfeited [4] reinstated [5] exonerated

[6] Reassumption of liability filed [7] Bail reinstated and exonerated

[8] Bench warrant to issue per Bail \$

[9] D.A. to prepare declaration &amp; warrant

**[10] EXECUTION STAYED****P DEF. PLEADS [1] Not Guilty [2] NGI [3] Not guilty plea w/drawn**

[4] Prior(s) denied [5] Enhancements/allegations denied

Advised of [6] max. penalties [7] future consequences [8] understands &amp; waives each right [9] Defense Csl joins in waiver [10] TAHL waived filed

**[11] GUILTY [12] NO CONTEST**

[13] Priors dated [A] admitted [B] stricken

[14] Prison Priors dated [A] admitted [B] stricken

[15] Enhancements dated [A] admitted [B] stricken

[16] Strikes dated [A] admitted [B] stricken

[17] Spec. circumstances [A] admitted [B] stricken

Def. stipulates to [8] factual basis for plea [A] probable cause for arrest

**E PROBATION [1] Referred to Prob. Dept. for RPT [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] NBRC [E] Post Sentence [F] Other**

[7] Cont. to 5-11-06 Ctrm 4 [9] Report due 5-4-06 [10] Transcript due [11] Prob. Report filed

**R CALENDAR SETTINGS/WAIVERS**

DNA test [DNA1] ordered [DNA2] Previously done Qualifying offense

**DEFENDANT** [1] waives time to [A] plus days

[2] does not waive time [3] withdraws time waiver

Waives time for [4] sentencing [5] referral [6] prelim [A] 10 [B] 60 days

[7] advised of right to prelim [8] waives same [9] People waive prelim

**HELD**

[10] Prelim. hrg. set Ctrm [A]

[11] The Complaint will be deemed the Information for all purposes

[12] Cert per 1368 PC for hrg. Ctrm [A]

[13] Proceeding suspended &amp; case Certified to Juvenile Court

[14] Cert. to Trial Dept. for hrg. Ctrm [A]

[15] Jury Trial 4-20-06 930 Ctrm 4 [A]

[16] Pretrial set Ctrm [A]

[17] Readiness 4-14-06 930 Ctrm 4 [A]

[18] Hearing set Ctrm [A]

[19] Trial date confirmed [20] Time estimate

**[21] VACATED**

[22] Criminal Protective Order [A] issued &amp; filed [B] vacated [C] served

[23] Cont to Ctrm

**WARRANT [15] RECALLED [18] remains out**

[19] Bail set \$ [A] as set [20] NO BAIL

Bail [21] increased to \$ [22] reduced to \$

Mtn. for [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached

[26] OR [27] Sup. OR [A] reinstated [B] revoked [C] terminated [D] continued

[28] Summary judgment extended to

**COURT FINDS [19] factual basis for plea [20] admission [21] Def.**

knowingly, intelligently, freely, voluntarily waives rights [22] Defendant guilty

[23] People's motion to dismiss counts remaining at time of sentencing granted

[24] Plea per 1192.5 PC [25] Fingerprint form filed

[26] Defendant to be booked, fingerprinted and released forthwith

[27] People recommend 192.5 - remain all hearing case

[28] Court indicates

[29] Def. enters [A] Arbuckle [B] Harvey waiver re:

[30] VC Priors found constitutionally [A] valid [B] invalid

[31] Motor vehicle used in the commission of a felony (for DMV reporting)

Bail transferred to [XFRS] SCR case [XFRM] MCR case

[54] [55] Booking Fee 123 B

*Original*

Name Arias, Noe ORDONEZ Page 2  
 Case SCR 479, 120, 5484409, 5460738, 5474326, 5478090, 5481396,  
 Date 4-7-06 5483193, 5483546

**CONDITIONS OF SUPERVISED OWN RECOGNIZANCE RELEASE**  
**CONTACT PROBATION IMMEDIATELY UPON RELEASE**

- H3 ☒ Make all court appearance & appointments  
 H4 ☒ Report to your Probation Officer as directed or immediately upon release. *Monday 4/10/06 @ 11 AM at SOR office*  
 H2 ☐ meetings per week by \_\_\_\_\_  
 H5 ☒ Maintain a curfew as directed by the Probation Department  
 ( ) of \_\_\_\_\_ p.m. to \_\_\_\_\_ a.m.  
 H20 ☒ Do not possess or use any alcohol  
 H21 ☒ controlled substances or associated paraphernalia without valid prescription.  
 H12 ☒ Do not contact victim directly or indirectly. *Stay away from 18068 Myrtle Lane Boyes, CA.*  
 H63 ☐ Do not be in the company of minors unless another responsible adult is present.  
 H11A ☐ Do not molest, attack, strike, threaten, harass, stalk, sexually assault, or batter victim, and do not disturb victim's peace.  
 H19 ☒ Submit to random chemical tests.  
 H18 ☒ Submit to warrantless search and seizure of person, property, and vehicle at any time of the day or night.  
 H18A ☒ residence any time of the day or reasonable hour of the night by any Probation or Law Enforcement Officer.  
 H18B ☐ residence any time of the day or night by any Probation or Law Enforcement Officer.  
 H25 ☒ Do not be in a place where alcohol is the primary item of sale (no bars or liquor stores).  
 H1 ☒ Commence and continue any education, counseling, or other rehabilitation program as directed by your Probation Officer.  
 H22 ☒ Do not own, possess, or use any firearms H23 ☒ weapons H23A ☒ ammunition  
 H10 ☒ Seek and maintain employment/education/training.  
 H50 ☒ Inform your Probation Officer as to your residence and employment.  
 H51 ☒ Inform your Probation Officer of your court dates.  
 H52 ☐ Reside with/at \_\_\_\_\_  
 H14 ☒ Be of good conduct and abide by all laws.  
 H27 ☒ Do not drive without valid California drivers license and insurance.  
 H54 ☐ Do not congregate/frequent locations associated with gang members or wear gang attire/colors.  
 H64 ☐ Take all medications as prescribed by treating physician.  
 H56 ☐ Attend each scheduled appointment with treating physician.  
 H57 ☐ Meet with mental health case manager as directed.  
 H58 ☐ Attend CLC/Adult Day Treatment and/or other mental health support program as recommended by treating physician/case manager.  
 H58A ☐ treating physician/case manager.  
 H59 ☐ Sign mental health, Alcohol Drug Treatment Services, and Probation release of information forms to facilitate communication.  
 H60 ☐ If hospitalization is suggested/required by treating doctor/case manager, comply with request and remain in the hospital;  
 H60A ☐ comply with all treatment recommendations until released by treating doctor.  
 H61 ☐ Maintain satisfactory living arrangements as approved by treating physician/case manager.  
 H62 ☐ Comply with all treatment recommendations by Mental Health staff.  
 H55 ☒ Defendant agrees to terms and conditions of Supervised Own Recognizance Release.

Additional conditions: \_\_\_\_\_

Defendant's Signature Noe Ordóñez

Date: 4-7-06

Judge [Signature]



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

Case # SCR-479120 6 Date: 6/05/06 Time: 0900 Courtroom # 4 1st App: 2/15/2006  
 Judge: Rene A. Chouteau Reporter: SB SB Sworn Interpreter: INT  
 Deputy D.A.: ACM Clerk: CP [I12] Interpreter needed next date  
 PEOPLE VS. ARIAS, NOE ORDONEZ [DE 1] Probation # 120360 [A32] Probation Officer present                       
 [A] gives oral report to court

Charges: 1) F 496(a) PC

**N NATURE OF PROCEEDINGS: PROBATION/CONDITIONAL SENTENCE ORDER RPO/PRESENTENCE**DEFENDANT [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [6] PD [9] Counsel                      present**O BAIL/CUSTODY STATUS**

DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY

BAIL [3] forfeited [4] reinstated [5] exonerated

[6] Reassumption of liability filed [7] Bail reinstated &amp; exonerated

[8] Bench warrant to issue per                      Bail \$                     

[10] EXECUTION STAYED

WARRANT [15] RECALLED [18] remains out

[19] Bail set \$                      [20] NO BAILBail [21] increased to                      [22] reduced to                     

Mtn. For [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached

[26] OR [27] Sup. OR [A] reinstated [B] revoked [C] terminated [D] continued

[28] Summary judgment extended to                     **Q PROBATION** [1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] Restitution [E] Other                     [3] Cont. To                      Ctrm                      [4] Report Due                      [5] Transcript due                      [6] Prob. Report filed**PROBATION SUMMARILY REVOKED** Defendant [8] Informed of right to VOP hrg [9] waives VOP hrg [10] Admits VOP [11] Denies VOP[12] Vio. Probation hrg. set                      Ctrm                      [A] VOP hrg HELD [13] Court finds Defendant in Violation of Probation**S PROBATION/CONDITIONAL SENTENCE ORDER**

[E5] See PO Today [E6] Test Today

[1] Court has read & reviewed report(s) & other documents. Defendant waives formal arraignment [2] No legal cause why judgment should not be pronounced. [3] Defendant having been convicted, **COURT PRONOUNCES SENTENCE** [4] Defendant sentenced[5] Imposition of sentence suspended [6] **STATE PRISON** [6A] Sentence modified [7] Sentence amended [8] Amended abstract to be prepared [9] Def. waives time for sentencing

Case No.	Ct	Violation	F/M	Prior	Enhancement	Stayed	L/M/U	Cons	Conc	Base Term	Total Term

[10] Execution of sentence suspended

TOTAL AGGREGATE TERM:                     [11] Ct(s)                      is/are principal term [12] all but 1/3 the midterm of Ct(s)                      stayed [13] Circumstances balanced

[14] Mitigation factors outweigh those in aggravation [15] Aggravation factors outweigh those in mitigation [16] Stated on the record

[17] Defendant advised regarding [A] appellate rights [B] parole rights **CRIMINAL PROCEEDINGS** [18] suspended [19] reinstated**G**[4] **CONDITIONAL SENTENCE** [5] **FORMAL PROBATION** [6] **SENTENCE MODIFIED** [2] **PROBATION DENIED**[A] Granted 36 mos. [7] Extended                      mos. [A] from today's date [B] to                      [8] Modified [9] Revoked [10] ReinstatedConvert to [11] formal probation [12] conditional sentence [A] upon                     To [17] terminate [13] successfully [14] unsuccessfully [A] upon payment of fine [B] upon completion of jail time [C] On date:                     

[15] Terminated [A] successfully [B] unsuccessfully [16] All other terms &amp; conditions remain in full force &amp; effect

**T**[1] Defendant may be released to                      for placement in a residential treatment program if/when bed space becomes available.

[A] Prior to completion of sentence [B] After completion of sentence

[C] Remain in custody until bed space becomes available

[3] Participate/complete residential drug rehabilitation program and do not leave without prior written consent of P.O./Program Director

[4] Although not a condition of probation, defendant waives all custody credits [A] while in residential treatment program

[B] while awaiting placement [C]                      previously served

[D] towards time in any penal institution

[5] Defendant waives time previously served                     

[6] Defendant enters Johnson Waiver

[7] Participate/complete programs of assistance &amp; counseling as directed by Prob. Officer [A] not to leave without prior written consent

[8] Complete 120 hrs. work thru Sonoma Co. Volunteer Center as directed by                      [A] vacated [B] in lieu of                      [C] Contact by                     

Do not [9] harm, harass, or annoy victim [A] molest, attack, strike stalk, threaten, sexually assault, batter, & do not disturb victim's peace  
 Do not contact either directly or indirectly [10] victim [11] co-defendant(s) [12] any minors [13] Abide by any protective orders [14A] CPO issued & filed [14] CPO vacated [15] Do not congregate/frequent locations or associate with gang members, wear gang attire or colors, or possess gang paraphernalia  
 [16] Register per [A] 290 PC [B] 11590 H&S [C] 457.1 PC [D] 186.30(a) PC  
 [17] Provide two blood & saliva samples per 296 PC for DNA testing  
 [18] Defendant to submit to warrantless search & seizure of  
 [A] person, property, personal business, vehicle any time of day or night  
 [B] residence any time of day or reasonable hour of night by an Probation or Law Enforcement Officer

[19] Motion for New Trial set                      Ctrm.                      [A] HELD  
 [B] granted [C] denied

[20] Cont. to                      Ctrm.                       
 for

Case # SCR-479120

Date: 6/05/2006

PAGE 2

PEOPLE VS.

[DE 1]

ARIAS, NOE ORDONEZ

T - Continued (21) Submit to random chemical tests

(22) Do not possess or use any (A) alcohol (B) controlled substances or associated paraphernalia without valid prescription.

(23) Stay out of places where alcohol is the primary item of sale

(24) Complete Drug Abuse &amp; HIV Epidemic course (A) HIV test ordered

(25) Do not drive without California license &amp; insurance in effect

(26) FODDP referral (A) vacated (27) MODDP referral (A) vacated

(28) Enroll within 21 days &amp; complete as directed

(29) MODDP re-referral (30) DL-104 2<sup>nd</sup> offender re-referral

(31) Referred to Orenda Center for Alcohol/Other Drug Assessment Program w/in 30 days &amp; pay \$100 assessment fee

(H33B) Court orders DMV not to issue a restricted license

License (H33) suspended per DMV regulations (H33A) surrendered to Court

(35) Interlock (A) advisement given (B) to be installed (C) waived, not in the Interest of Justice

(36) DL-309 - Habitual Traf. Offender (37) DL-310 - Verbal suspension ntc

DUI Conviction involves (38) Commercial vehicle (39) HAZMAT

(40) Corrected abstract (41) Declaration per 23212 &amp; 23103.5 VC filed

(43) Motor vehicle used in commission of a felony (for DMV reporting)

(44) Not accept a job handling checks and/or cash without first advising employer of this conviction (A) Not open any checking account

(B) Not possess any check not payable to defendant

(45) Seek/maintain employment or enroll in educational program

(46) Do not own, possess, have under custody or control any firearms or ammunition per Federal &amp; State law. (47) Possess NO weapons

(48) Be of good conduct &amp; obey all laws.

(49) Do not own or possess cellular phone, scanner, or pager without written permission of Probation Officer

(50) Defendant ordered to report to Probation Dept. by (A) \_\_\_\_\_

(B) within 2 working days of release from custody

SEE STANDARD PROBATION TERMS ON REVERSE SIDE

## U FINE AND FEE SECTION

(1) \$ \_\_\_\_\_ Alcohol Prevention program fee

(2) \$ \_\_\_\_\_ Drug Prevention program fee

(3) \$ \_\_\_\_\_ Habitual Offender fine per 290.3 PC

(4) \$ \_\_\_\_\_ Domestic Violence fund per 1203.097 PC

(5) \$ \_\_\_\_\_ Restitution per 1214(b), deemed civil judgement

(6) \$ \_\_\_\_\_ Restitution per 1203(j), deemed civil judgement

(7) \$ 660. Restitution fine per (A) 1202.4(a)(3)(b) (B) 294 PC (C) 1202.4 PC (D) stayed pending successful completion of probation per 1202.4 PC

(E) which includes a 10% Administration fee

(8) \$ \_\_\_\_\_ Restitution fine per 1202.45 PC, suspended unless parole is revoked

(8A) \$ 660. Restitution fine per 1202.44 PC, suspended unless probation is revoked.

(9) \$ 325. Report preparation fee (not a condition of probation)

(10) \$ 250. Probation supervision fee (not a condition of probation)

(11) \$ \_\_\_\_\_ Court Costs (12) \$ \_\_\_\_\_ FTA Fine

Payable (17) by \_\_\_\_\_ (18) at \$ \_\_\_\_\_ per mo. beginning \_\_\_\_\_ (19) as directed by Probation Officer

plus processing fee thru (A) Probation Dept (if formal) (B) Clerk's Office (if conditional)

Restitution (20) in an amount &amp; manner to be determined by the Probation Dept (A) issue reserved (B) jointly &amp; severally liable with co-defendant(s)

(21) \$ \_\_\_\_\_ (22) at \$ \_\_\_\_\_ per mo. beginning \_\_\_\_\_ (23) as directed by Probation Officer (24) 10% Administrative fee will be assessed

(25) Defendant advised of right to restitution hearing per 1214 PC (Cervantes) within 90 days

(26) Remaining balance of restitution deemed a civil judgement upon completion of probation

(27) Remaining fines/fees are (A) referred to Central Collections (B) vacated

(28) All fines, fees, &amp;/or restitution to be paid as directed by Probation

(29) \$ \_\_\_\_\_ fee per 987.8 PC for (A) Appointed Counsel (B) Public Defender payable through Central Collections

(30) Cts. \_\_\_\_\_ DISMISSED (A) People's motion (31) Plea of guilty/conviction set aside (32) Case dismissed per 1203.4 PC

DNA test(DNA1) ordered \_\_\_\_\_ (DNA2) previously done \_\_\_\_\_ Qualifying offense \_\_\_\_\_

(13) Fine

\$ 20. - ( \_\_\_\_\_ + \_\_\_\_\_ PA)

Note: Fine includes Court Security Fee

(14) Previous balance \$ \_\_\_\_\_

(15) Vacate \$ \_\_\_\_\_

(16) Suspend \$ \_\_\_\_\_

(34) Booking Fee \$ 123 BFE

## M JAIL SECTION

(1) Defendant sentenced to serve 6 months

in Sonoma County Jail (X) in any penal institution

(X) All but \_\_\_\_\_ suspended (X) Consecutive to (X) Concurrent with \_\_\_\_\_

(X) Jail time of \_\_\_\_\_ suspended (X) With credit for time served (CTS) of 139 days (95 actual + 44 conduct)

(X) Stayed to \_\_\_\_\_ by \_\_\_\_\_ p.m. (X) Surrender to NCDF (X) forthwith (X) previously imposed (X) Defendant given credit for time served

Refer to (X) Work release - contact within 10 days (X) Work furlough (X) Supervised Electronic Confinement (X) consecutive 48 hour periods

(X) Day for day credits allowed while in residential treatment program (X) Release to program representative when bed space becomes available

(21) Sentenced to jail time on \_\_\_\_\_ cases this date (X) Jail alternative programs denied (X) Jail to calculate credits

Defendant's Signature Noe Arias

Phone 707-935-7650

Address: 140 North Side Ave

City: Sonoma State Ca Zip 95476 JUDGE

FELONY PROBATION/CONDITIONAL SENTENCE (PAGE 2)



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SONOMA

Case # SCR-479120 6 Date: 10/02/06 Time: 0900 Courtroom # 4 1st App: 2/15/2006  
 Judge: Rene A. Chouteau Reporter: S STANDISH Interpreter: INT  
 Deputy D.A.: A. McMahon Clerk: BRENDA WESSON Interpreter needed next date  
 PEOPLE VS. ARIAS, NOE ORDONEZ [DE 1] Probation # 120360 [A32] Probation Officer present  
 [A] gives oral report to court Dewitt  
 Charges: 1) F 496(a) PC

**N NATURE OF PROCEEDINGS: PROBATION/CONDITIONAL SENTENCE ORDER** RPO RE VOP  
 DEFENDANT [1] present [2] not present [3] present in custody [4] not present in custody [A] pro per [6] PD [9] Counsel present

**O BAIL/CUSTODY STATUS** WARRANT [15] RECALLED [18] remains out  
 DEFENDANT [1] REMANDED [2] RELEASED FROM CUSTODY [19] Bail set \$ [20] NO BAIL  
 BAIL [3] forfeited [4] reinstated [5] exonerated Bail [21] increased to [22] reduced to  
 [6] Reassumption of liability filed [7] Bail reinstated & exonerated Mtn. For [24] OR [25] Sup. OR [A] granted [B] denied [C] conditions attached  
 [8] Bench warrant to issue per Bail \$ [26] OR [27] Sup. OR [A] reinstated [B] revoked [C] terminated [D] continued  
 [10] EXECUTION STAYED [28] Summary judgment extended to

**Q PROBATION** [1] Referred to Prob. Dept. for RPO [2] re-referral [A] OR Bail Reduction [B] Presentence [C] VOP [D] Restitution [E] Other  
 [3] Cont. To 10/30 0830 Ctrm 4 [4] Report Due 10/23 [5] Transcript due [6] Prob. Report filed  
 [7] PROBATION SUMMARILY REVOKED Defendant [8] Informed of right to VOP hrg [9] waives VOP hrg [10] Admits VOP [11] Denies VOP  
 [12] Vio. Probation hrg. set Ctrm [A] VOP hrg HELD [13] Court finds Defendant in Violation of Probation

**S PROBATION/CONDITIONAL SENTENCE ORDER** [E5] See PO Today [E6] Test Today  
 [1] Court has read & reviewed report(s) & other documents. Defendant waives formal arraignment. [2] No legal cause why judgment should  
 not be pronounced. [3] Defendant having been convicted, COURT PRONOUNCES SENTENCE [4] Defendant sentenced  
 [5] Imposition of sentence suspended [6] STATE PRISON [6A] Sentence modified [7] Sentence amended [8] Amended abstract to be  
 prepared [9] Def. waives time for sentencing

Case No.	Ct	Violation	F/M	Prior	Enhancement	Stayed	L/M/U	Cons	Conc	Base Term	Total Term

[10] Execution of sentence suspended TOTAL AGGREGATE TERM:  
 [11] Ct(s) is/are principal term [12] all but 1/3 the midterm of Ct(s) stayed [13] Circumstances balanced  
 [14] Mitigation factors outweigh those in aggravation [15] Aggravation factors outweigh those in mitigation [16] Stated on the record  
 [17] Defendant advised regarding [A] appellate rights [B] parole rights CRIMINAL PROCEEDINGS [18] suspended [19] reinstated

**G** Revoked Summ on 8/22/2006  
 [4] XXXXXXXXXXXXXXXXXXXX [5] FORMAL PROBATION [6] SENTENCE MODIFIED [2] PROBATION DENIED  
 [A] Granted mos. [7] Extended mos. [A] from today's date [B] to [8] Modified [9] Revoked [10] Reinstated  
 Convert to [11] formal probation [12] conditional sentence [A] upon  
 To [17] terminate [13] successfully [14] unsuccessfully [A] upon payment of fine [B] upon completion of jail time [C] On date:  
 [15] Terminated [A] successfully [B] unsuccessfully [16] All other terms & conditions remain in full force & effect

**T**  
 [1] Defendant may be released to for placement in a  
 residential treatment program if/when bed space becomes available.  
 [A] Prior to completion of sentence [B] After completion of sentence  
 [C] Remain in custody until bed space becomes available  
 [3] Participate/complete residential drug rehabilitation program and do  
 not leave without prior written consent of P.O./Program Director  
 [4] Although not a condition of probation, defendant waives all custody  
 credits [A] while in residential treatment program  
 [B] while awaiting placement [C] previously served  
 [D] towards time in any penal institution  
 [5] Defendant waives time previously served  
 [6] Defendant enters Johnson Waiver  
 [7] Participate/complete programs of assistance & counseling as directed  
 by Prob. Officer [A] not to leave without prior written consent  
 [8] Complete hrs. work thru Sonoma Co. Volunteer Center as directed  
 by [A] vacated [B] in lieu of [C] Contact by  
 Do not [9] harm, harass, or annoy victim [A] molest, attack, strike  
 stalk, threaten, sexually assault, batter, & do not disturb victim's peace  
 Do not contact either directly or indirectly [10] victim [11] co-defendant(s)  
 [12] any minors [13] Abide by any protective orders [14A] CPO issued & filed  
 [14] CPO vacated [15] Do not congregate/frequent locations or associate with  
 gang members, wear gang attire or colors, or possess gang paraphernalia  
 [16] Register per [A] 290 PC [B] 11590 H&S [C] 457.1 PC [D] 186.30(a) PC  
 [17] Provide two blood & saliva samples per 296 PC for DNA testing  
 [18] Defendant to submit to warrantless search & seizure of  
 [A] person, property, personal business, vehicle any time of day or night  
 [B] residence any time of day or reasonable hour of night by an  
 Probation or Law Enforcement Officer  
 [19] Motion for New Trial set Ctrm. [A] HELD  
 [B] granted [C] denied  
 [20] Cont. to Ctrm.  
 for

Case # SCR-479120

Date: 10/02/2006

PAGE 2

PEOPLE VS. ARIAS, NOE ORDONEZ

[DE 1]

**T - Continued** [21] Submit to random chemical tests

- [22] Do not possess or use any [A] alcohol [B] controlled substances or associated paraphernalia without valid prescription.  
[23] Stay out of places where alcohol is the primary item of sale  
[24] Complete Drug Abuse & HIV Epidemic course [A] HIV test ordered  
[25] Do not drive without California license & insurance in effect  
[26] FODDP referral [A] vacated [27] MODDP referral [A] vacated  
[28] Enroll within 21 days & complete as directed  
[29] MODDP re-referral [30] DL-104 2<sup>nd</sup> offender re-referral  
[31] Referred to Orenda Center for Alcohol/Other Drug Assessment Program w/in 30 days & pay \$100 assessment fee  
[H33B] Court orders DMV not to issue a restricted license  
License [H33] suspended per DMV regulations [H33A] surrendered to Court  
[35] Interlock [A] advisement given [B] to be installed [C] waived, not in the Interest of Justice  
[36] DL-309 - Habitual Traf. Offender [37] DL-310 - Verbal suspension ntc

- DUI Conviction involves [38] Commercial vehicle [39] HAZMAT  
[40] Corrected abstract [41] Declaration per 23212 & 23103.5 VC filed  
[43] Motor vehicle used in commission of a felony (for DMV reporting)  
[44] Not accept a job handling checks and/or cash without first advising employer of this conviction [A] Not open any checking account  
[B] Not possess any check not payable to defendant  
[45] Seek/maintain employment or enroll in educational program  
[46] Do not own, possess, have under custody or control any firearms or ammunition per Federal & State law. [47] Possess NO weapons  
[48] Be of good conduct & obey all laws.  
[49] Do not own or possess cellular phone, scanner, or pager without written permission of Probation Officer  
[50] Defendant ordered to report to Probation Dept. by [A] \_\_\_\_\_  
[B] within 2 working days of release from custody  
SEE STANDARD PROBATION TERMS ON REVERSE SIDE

**U FINE AND FEE SECTION**

- [1] \$ \_\_\_\_\_ Alcohol Prevention program fee  
[2] \$ \_\_\_\_\_ Drug Prevention program fee  
[3] \$ \_\_\_\_\_ Habitual Offender fine per 290.3 PC  
[4] \$ \_\_\_\_\_ Domestic Violence fund per 1203.097 PC  
[5] \$ \_\_\_\_\_ Restitution per 1214(b), deemed civil judgement  
[6] \$ \_\_\_\_\_ Restitution per 1203(j), deemed civil judgement  
[7] \$ \_\_\_\_\_ Restitution fine per [A] 1202.4(a)(3)(b) [B] 294 PC [C] 1202.4 PC [D] stayed pending successful completion of probation per 1202.4 PC [E] which includes a 10% Administration fee  
[8] \$ \_\_\_\_\_ Restitution fine per 1202.45 PC, suspended unless parole is revoked  
[8A] \$ \_\_\_\_\_ Restitution fine per 1202.44 PC, suspended unless probation is revoked.  
[9] \$ \_\_\_\_\_ Report preparation fee (not a condition of probation)  
[10] \$ \_\_\_\_\_ Probation supervision fee (not a condition of probation)  
[11] \$ \_\_\_\_\_ Court Costs [12] \$ \_\_\_\_\_ FTA Fine  
Payable [17] by \_\_\_\_\_ [18] at \$ \_\_\_\_\_ per mo. beginning \_\_\_\_\_ [19] as directed by Probation Officer plus processing fee thru [A] Probation Dept (if formal) [B] Clerk's Office (if conditional)  
Restitution [20] in an amount & manner to be determined by the Probation Dept [A] issue reserved [B] jointly & severally liable with co-defendant(s)  
[21] \$ \_\_\_\_\_ [22] at \$ \_\_\_\_\_ per mo. beginning \_\_\_\_\_ [23] as directed by Probation Officer [24] 10% Administrative fee will be assessed  
[25] Defendant advised of right to restitution hearing per 1214 PC (Cervantes) within 90 days  
[26] Remaining balance of restitution deemed a civil judgement upon completion of probation  
[27] Remaining fines/fees are [A] referred to Central Collections [B] vacated  
[28] All fines, fees, &/or restitution to be paid as directed by Probation  
[29] \$ \_\_\_\_\_ fee per 987.8 PC for [A] Appointed Counsel [B] Public Defender payable through Central Collections  
[30] Cts: \_\_\_\_\_ DISMISSED [A] People's motion [31] Plea of guilty/conviction set aside [32] Case dismissed per 1203.4 PC  
DNA test [DNA1] ordered \_\_\_\_\_ [DNA2] previously done \_\_\_\_\_ Qualifying offense \_\_\_\_\_

*Vacate all previous fines & fees.*

**M JAIL SECTION**

- [1] Defendant sentenced to serve *6 Months* in addition to any *Time Served* in Sonoma County Jail [X] in any penal institution  
[X] All but \_\_\_\_\_ suspended [X] Consecutive to [X] Concurrent with \_\_\_\_\_  
[X] Jail time of \_\_\_\_\_ suspended [ ] With credit for time served (CTS) of \_\_\_\_\_ days (\_\_\_\_\_ actual + \_\_\_\_\_ conduct)  
[X] Stayed to \_\_\_\_\_ by \_\_\_\_\_ p.m. [X] Surrender to NCDF [X] forthwith [X] previously imposed [X] Defendant given credit for time served  
Refer to [X] Work release - contact within 10 days [X] Work furlough [X] Supervised Electronic Confinement [X] consecutive 48 hour periods  
[X] Day for day credits allowed while in residential treatment program [X] Release to program representative when bed space becomes available  
[21] Sentenced to jail time on *2* cases this date [X] Jail alternative programs denied [X] Jail to calculate credits  
Defendant's Signature *Noe Arias* Phone *707-935-7650*  
Address: *140 North side*  
City: *Sonoma* State *Ca* Zip *95476* JUDGE \_\_\_\_\_



Date: 10/30/06 Time: 08:30 Courtroom # 4 1st App: 2/15/2000

**T**

[1] Defendant may be released to \_\_\_\_\_ for placement in a residential treatment program if/when bed space becomes available.

[A] Prior to completion of sentence [B] After completion of sentence

[C] Remain in custody until bed space becomes available

[3] Participate/complete residential drug rehabilitation program and do not leave without prior written consent of P.O./Program Director

[4] Although not a condition of probation, defendant waives all custody credits [A] while in residential treatment program

[B] while awaiting placement [C] \_\_\_\_\_ previously served

[D] towards time in any penal institution

[5] Defendant waives time previously served \_\_\_\_\_

[6] Defendant enters Johnson Waiver

[7] Participate/complete programs of assistance & counseling as directed by Prob. Officer [A] not to leave without prior written consent

[8] Complete \_\_\_\_ hrs. work thru Sonoma Co. Volunteer Center as directed by \_\_\_\_\_ [A] vacated [B] in lieu of \_\_\_\_\_ [C] Contact by \_\_\_\_\_

Do not [9] harm, harass, or annoy victim [A] molest, attack, strike stalk, threaten, sexually assault, batter, & do not disturb victim's peace

Do not contact either directly or indirectly [10] victim [11] co-defendant(s)

[12] any minors [13] Abide by any protective orders [14A] CPO issued & filed

[14] CPO vacated [15] Do not congregate/frequent locations or associate with gang members, wear gang attire or colors, or possess gang paraphernalia

[16] Register per [A] 290 PC [B] 11590 H&S [C] 457.1 PC [D] 186.30(a) PC

[17] Provide two blood & saliva samples per 296 PC for DNA testing

[18] Defendant to submit to warrantless search & seizure of

[A] person, property, personal business, vehicle any time of day or night

[B] residence any time of day or reasonable hour of night by any \_\_\_\_\_

Probation or Law Enforcement Officer

[19] Motion for New Trial set \_\_\_\_\_ Ctrm. \_\_\_\_\_ [A] HELD

[B] granted [C] denied

[20] Cont. to \_\_\_\_\_ Ctrm. \_\_\_\_\_

for \_\_\_\_\_

Case # SCR-479120

Date: 10/30/2006

PAGE 2

PEOPLE VS.

[DE 1]

ARIAS, NOE ORDONEZ

**T** - Continued [21] Submit to random chemical tests

- [22] Do not possess or use any [A] alcohol [B] controlled substances or associated paraphernalia without valid prescription.  
 [23] Stay out of places where alcohol is the primary item of sale  
 [24] Complete Drug Abuse & HIV Epidemic course [A] HIV test ordered  
 [25] Do not drive without California license & insurance in effect  
 [26] FODDP referral [A] vacated [27] MODDP referral [A] vacated  
 [28] Enroll within 21 days & complete as directed  
 [29] MODDP re-referral [30] DL-104 2<sup>nd</sup> offender re-referral  
 [31] Referred to Orenda Center for Alcohol/Other Drug Assessment Program w/in 30 days & pay \$100 assessment fee  
 [H33B] Court orders DMV not to issue a restricted license  
 License [H33] suspended per DMV regulations [H33A] surrendered to Court  
 [35] Interlock [A] advisement given [B] to be installed [C] waived, not in the Interest of Justice  
 [36] DL-309 - Habitual Traf. Offender [37] DL-310 - Verbal suspension ntc

- DUI Conviction involves [38] Commercial vehicle [39] HAZMAT  
 [40] Corrected abstract [41] Declaration per 23212 & 23103.5 VC filed  
 [43] Motor vehicle used in commission of a felony (for DMV reporting)  
 [44] Not accept a job handling checks and/or cash without first advising employer of this conviction [A] Not open any checking account  
 [B] Not possess any check not payable to defendant  
 [45] Seek/maintain employment or enroll in educational program  
 [46] Do not own, possess, have under custody or control any firearms or ammunition per Federal & State law. [47] Possess NO weapons  
 [48] Be of good conduct & obey all laws.  
 [49] Do not own or possess cellular phone, scanner, or pager without written permission of Probation Officer  
 [50] Defendant ordered to report to Probation Dept. by [A] \_\_\_\_\_  
 [B] within 2 working days of release from custody

SEE STANDARD PROBATION TERMS ON REVERSE SIDE

**U FINE AND FEE SECTION**

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cf. \$600 to  
 Vict. Comp. Board.

**M JAIL SECTION**

[1] Defendant sentenced to serve \_\_\_\_\_

in Sonoma County Jail [X] in any penal institution

- [X] All but \_\_\_\_\_ suspended [X] Consecutive to [X] Concurrent with \_\_\_\_\_  
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Defendant's Signature Noe Arias Ordonez

Phone

707-227-5289Address: PO Box 1060 Boys Hats SpringsCity: SonomaState CaZip 95476

JUDGE

FELONY PROBATION/CONDITIONAL SENTENCE (PAGE 2)